

## STATE OF SOUTH CAROLINA

## (Caption of Case)

Application of Palmetto Utilities,  
Inc. for approval of an expansion  
of its existing sewer service area to  
include certain portions of Richland  
County adjacent to its existing  
service area.

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

## DOCKET

NUMBER: 2009 - 173 - 5

(Please type or print)

Submitted by: John M.S. HoeferSC Bar Number: 2549Address: Post Office Box 8416Telephone: (803) 252-330Columbia, SC 29202Fax: (803) 256-806

Other: \_\_\_\_\_

Email: jhoefer@willoughbyhoefer.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)

- ☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously
- ☒ Other: Waiver of Hearing on Expedited Consideration if no Intervention/ORS opposition

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input checked="" type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input checked="" type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other: Approval of Contracts	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

**WILLOUGHBY & HOEFER, P.A.**

ATTORNEYS & COUNSELORS AT LAW

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ANDREW J. MACLEOD

April 17, 2009

AREA CODE 803  
TELEPHONE 252-3300  
TELECOPIER 256-8062

TRACEY C. GREEN  
ALAN WILSON  
SPECIAL COUNSEL

\*ALSO ADMITTED IN TX

**VIA HAND-DELIVERY**

The Honorable Charles L.A. Terreni  
Chief Clerk/Administrator  
**Public Service Commission of South Carolina**  
101 Executive Center Drive  
Columbia, South Carolina 29210

RE: Application of Palmetto Utilities, Inc. for approval of an expansion of its existing sewer service area to include certain portions of Richland County adjacent to its existing service area

Dear Mr. Terreni:

Enclosed for filing are the original and ten (10) copies of the Application of Palmetto, Utilities, Inc. in the above-referenced matter. Also enclosed you will find the Applicant's proposed notice of filing and hearing. By copy of this letter, I am serving a copy of these documents upon the Executive Director of the Office of Regulatory Staff and enclose a Certificate of Service to that effect. Also, in accordance with Vol. 26 S.C. Code Ann. Regs. R. 103-504 (Supp. 2008), notice of this application is being provided to the South Carolina Department of Health and Environmental Control and Richland County Utilities by copy of this letter.

I would appreciate your acknowledging receipt of this Application and Certificate by date-stamping the extra copies that are enclosed and returning it to me via our courier.

If you have any questions or if you need any additional information, please do not hesitate to contact us.

Sincerely,

**WILLOUGHBY & HOEFER, P.A.**



John M.S. Hoefer

JMSH/cgc  
Enclosures

The Honorable Charles L.A. Terreni  
April 17, 2009  
Page 2 of 2

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cc: Honorable C. Dukes Scott, ORS  
Mr. Jeffrey P. deBessonnet, P.E., DHEC  
Mr. Andy Metts, Richland County Utilities

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**

**DOCKET NO.** \_\_\_\_\_

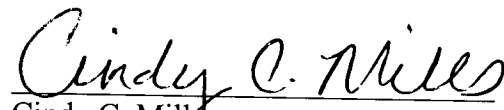
IN RE:

Application of Palmetto Utilities,  
Inc. for approval of an expansion  
of its existing sewer service area to  
include certain portions of Richland  
County adjacent to its existing  
service area

**CERTIFICATE OF SERVICE**

This is to certify that I have caused to be served this day one (1) copy each of the Application and Applicant's proposed notice of filing for the above-captioned matter by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

Honorable C. Dukes Scott  
Executive Director  
**Office of Regulatory Staff**  
Post Office Box 11263  
Columbia, South Carolina 29211

  
Cindy C. Mills

Columbia, South Carolina  
This 17<sup>th</sup> day of April, 2009.

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**

**DOCKET NO.** \_\_\_\_\_

IN RE: )  
)  
Application of Palmetto Utilities, )  
Inc. requesting an expansion )  
of its existing sewer service territory )  
to include certain additional portions )  
of Richland County, South Carolina )  
adjacent to its existing service territory. )

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**APPLICATION**

Palmetto Utilities, Inc. ("Applicant" or "Utility"), pursuant to S.C. Code Ann. §58-5-210 (1976) and Vol. 26 S.C. Code Ann. Regs. 103-504 (Supp. 2008), hereby applies for an expansion of its authorized sewer service territory to include certain additional portions of Richland County, South Carolina. In support thereof, Applicant would respectfully show as follows:

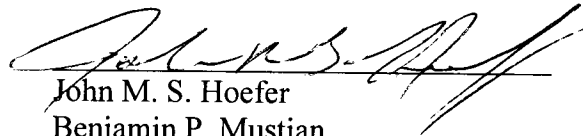
1. Applicant is a South Carolina corporation and a public utility currently authorized to operate a wastewater system under the jurisdiction of the Commission in Richland and Kershaw counties. Its corporate charter is presently on file with the Commission and an appropriate bond has been posted with same. A schedule of rates and charges for Applicant's sewer service has previously been approved by Commission Order No. 2001-1119 in Docket No. 1998-653-S.
2. Applicant currently provides sewerage service in parts of the northeastern portion of Richland County and the western portion of Kershaw County. The area for which expansion is sought (the "Proposed Service Area") is located adjacent to the northwesternmost and the

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PUBLIC SERVICE  
COMMISSION

northeasternmost parts of Applicant's currently approved sewer service area in Richland County. A description of the Proposed Service Area is set forth on Exhibit "A", which is attached hereto and incorporated herein by this reference. A map depicting Applicant's current service area approved by the Commission and the Proposed Service Area is attached hereto and incorporated herein by this reference as Exhibit "B".

3. The Utility's Spears Creek wastewater treatment plant ("WWTP") will serve the Proposed Service Area.
4. The Proposed Service Area is not presently served by any public sewer utility subject to the jurisdiction of this Commission. Moreover, no governmental entity has sewer service facilities in the Proposed Service Area. Additionally, Richland County has consented to the Utility's provision of service in the Proposed Service Area.
5. Applicant requests that it be allowed to provide service in the Proposed Service Area pursuant to the terms, conditions, rates and charges set forth in its existing rate schedule.
6. Applicant submits that the public convenience and necessity will be served by the approval of this Application in that sewer service will become available to an area of Richland County not presently served and for which no other service option currently exists.
7. All correspondence regarding the within application should be addressed to the undersigned.
8. Applicant requests, pursuant to 26 S.C. Code Ann. Regs. R.103-803, that any requirement for a hearing be waived in the event that the Office of Regulatory Staff ("ORS") does not oppose the within application and no intervention in the instant matter is timely filed.

WHEREFORE, having fully set forth its Application, Applicant prays that the Commission grant the requested expansion of its sewer service territory to include the Proposed Service Area; that the terms, conditions, rates and charges approved by the Commission for Applicant's currently authorized sewer service territory apply to the provision of sewer service in the Proposed Service Area; that, if no opposition from ORS exists and no intervention is timely filed, hearing on the within matter be waived, and that Applicant be granted such other and further relief as the Commission may deem just and proper.



John M. S. Hoefer

Benjamin P. Mustian

**WILLOUGHBY & HOEFER, P.A.**

Post Office Box 8416

Columbia, SC 29202-8416

803-252-3300

[jhoefer@willoughbyhoefer.com](mailto:jhoefer@willoughbyhoefer.com)

Attorneys for Applicant

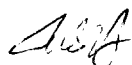
Columbia, South Carolina  
This 17<sup>th</sup> day of April, 2009

## EXHIBIT "A"

Commencing at the point where U.S. Highway 321 intersects with the boundary between Fairfield and Richland counties and running south along U.S. Highway 321 to the point where it intersects with County Road 1282; thence turning and running in an easterly direction along County Road 1282 to the point where it intersects with County Road 1352; thence turning and running north along County Road 1352 to the point where it intersects with County Road 1694; thence turning east and running along County Road 1694 to the point where it intersects with U.S. Highway 21; thence turning and running north along U.S. Highway 21 to the point where it intersects with an unpaved county road; thence turning and running in an easterly direction along the unpaved county road beneath right of way of Interstate Highway 77 to the point where said unpaved county road intersects with S.C. Highway 555; thence turning and running in a northerly and northwesterly direction along S.C. Highway 555 to the point where it intersects with U.S. Highway 21; thence turning and running north along U.S. Highway 21 to the point where it intersects with County Road 1856; thence turning and running in a westerly direction along County Road 1856 to and beneath the right of way of Interstate Highway 77 and continuing in a southwesterly direction along a line that is located generally on the northern side of County Road 536 and continuing to run along such line until it reaches a point on an unpaved county road; thence turning and running in a northwesterly direction toward a point on County Road 2200 which is northeast of its intersection with County Road 406; thence turning and running northeast along County Road 2200 to the point where it intersects with County Road 59; thence turning and running in a northwesterly direction along a line located on the western side of the easternmost branch of Persimmon Fork Creek and across said branch of said creek to a point where County Road 283 intersects with the boundary of the Richland and Fairfield county lines; thence turning and running in a westerly direction along the boundary of said counties until the point of commencement is reached.

ALSO,

Commencing at the point where the boundaries of Richland, Fairfield and Kershaw counties meet and running south from said point along the Richland and Kershaw county lines to a point on State Highway 1041; thence turning and running in a northwesterly direction along State Highway 1041 to the point where it intersects with an unpaved road known as "EJW Road" which runs along a boundary of Palmetto Utilities' existing service area; thence turning and running in a northerly direction along EJW Road to the point where it intersects with State Highway 54; thence turning and running in a westerly direction along State Highway 54 along a boundary of Palmetto Utilities' existing service area to the point where it intersects with an unpaved road on a boundary of Palmetto Utilities' existing service area; thence turning and running in a northeasterly direction along said unpaved road to the point where it intersects with State Highway 220 south of State Highway 369; thence turning and running in a northwesterly direction along State Highway 220 until it becomes State Highway 936; continuing along State





Highway 936 in a northwesterly direction along a boundary of Palmetto Utilities' existing service area to the point where State Highway 936 intersects with State Highway 2549; thence turning and running along State Highway 2549 along a boundary of Palmetto Utilities' existing service area to the point where it intersects with U.S. Highway 21; thence turning and running north along U.S. Highway 21 to the point where it intersects with State Highway 2059; thence turning and running in a westerly direction along State Highway 2059 to its terminus at State Highway 1367 east of Interstate Highway I-77; thence continuing in a westerly direction across an unincorporated area of Richland County along and crossing two streets to a point on the western right of way of Interstate Highway I-77 to a point along the eastern boundaries of Cobblestone Park Development in the Town of Blythewood; thence turning and running in a northwesterly direction along said boundaries to the Fairfield County line; thence turning and running in a northeasterly direction along the Richland and Fairfield county lines until the point of commencement is reached.

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